

FILED
UNITED STATES DISTRICT COURT
LAS CRUCES, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

Mitchell R. Elfers
Clerk of Court

UNITED STATES OF AMERICA,)
Plaintiff,)
vs.)
JOSE OMAR FLORES-PENALOZA,)
Defendant.)
) NO. CR 25-1075 GBW
) Count 1: 8 U.S.C. §1325(a)(1):
Illegal Entry Without Inspection
) Count 2: 50 U.S.C. § 797 (Class A
Misdemeanor): Penalty for Violation
of Security Regulations
) Count 3: 18 U.S.C. § 1382: Entering
Military Property.

INFORMATION

The United States Attorney charges:

On or about April 29, 2025, in Hidalgo County, in the District of New Mexico, the defendant, **JOSE OMAR FLORES-PENALOZA**, who was then and there an alien, did knowingly and unlawfully enter the United States from the Republic of Mexico, at a place not designated as a lawful Port of Entry by immigration officials of the United States for the entrance of immigrants into the United States.

In violation of 8 U.S.C. § 1325(a)(1).

Count 2

On or about April 29, 2025 in Hidalgo County, in the District of New Mexico, the defendant, **JOSE OMAR FLORES-PENALOZA**, willfully violated the order issued on April 18, 2025, by the U.S. Army Garrison Fort Huachuca military commander designating the New Mexico National Defense Areas, also known as the Roosevelt Reservation, as both a restricted area

and a controlled area under Army Regulation 190-13, prohibiting the unauthorized entry into the New Mexico National Defense Areas, a defense property security regulation.

In violation of 50 U.S.C. § 797.

Count 3

On or about April 29, 2025, in Hidalgo County, in the District of New Mexico, the defendant, **JOSE OMAR FLORES-PENALOZA**, entered any military reservation, post, fort, arsenal, station, and installation, specifically, the New Mexico National Defense Areas, also known as the Roosevelt Reservation, which had been designated both a restricted area and a controlled area pursuant to U.S. Army Regulation 190-13 by the U.S. Army Garrison Fort Huachuca military commander, for any purpose prohibited by law or lawful regulation, specifically, 8 U.S.C. § 1325(a)(1), illegal entry without inspection.

In violation of 18 U.S.C. 1382.

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